Case 20-10747-TPA Doc 77

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IN THE UNITED STATES BANKRUPTCY COURT FOR THE WESTERN DISTRICT OF PENNSYLVANIA

De Schmaged 1/13/22 11:10 am CLERK U.S. BANKRUPTCY COURT - WDPA

IN RE:

ROBERT OSIECKI : Case No. 20-10747-TPA

Debtor(s) : Chapter 13

: Related to Clm.. No. 5

ORDER

AND NOW, this 13th day of January, 2022, a Notice of Postpetition Mortgage Fees, Expenses and Charges ("Notice") having been filed by Northwest Bank regarding Claim No. 5, and the Court having determined that the Notice, including any supplement thereto that was filed, has sufficient supporting documentation to meet the minimum required standard of proof, it is therefore ORDERED, ADJUDGED and DECREED that:

- (1) There is cause pursuant to Fed.R.Bankr.P.~9006(c)(2) to reduce the one-year period provided by Fed.R.Bankr.~3002.1(e) for the Debtor(s) to respond to the Notice because of the need to promptly determine the amount due, if any, under the Notice so as to maximize the opportunities for plan success.
- (2) On or before February 1, 2022, unless the Trustee first acts pursuant to Paragraph 3, the Debtor(s) shall file either:
 - (a) An AMENDED CHAPTER 13 PLAN;
 - (b) A **DECLARATION** that the existing Chapter 13 Plan is sufficient to fund the Plan with the additional debt provided in the **Notice**; or
 - (c) A *MOTION OBJECTING* to the *Notice* pursuant to *Fed.R.Bankr.P. 3002.1(e)* and shall self-schedule the matter for hearing pursuant to the Court's procedures.
- (3) On or before February 1, 2022, the Trustee, or other party in interest, may file a **Motion** objecting to the *Notice* pursuant to *Fed.R.Bankr.P. 3002.1(e)* and shall self-schedule the matter for hearing pursuant to the Court's procedures.
- (4) The failure of either the Debtor(s), the Trustee, or other party in interest to timely file a Motion objecting to the Notice shall result in the allowance of the fees, expenses, and charges set forth therein without further order, notice or hearing, provided however, that no payment thereon will be implemented by the Trustee until such time as Debtor(s) files an Amended Chapter 13 Plan or Declaration, whichever is applicable as required by this Order.

Thomas P. Agresti, Judge

United States Bankruptcy Court

Case Administrator to serve: Debtor Debtor's Counsel Claimant's Counsel

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United States Bankruptcy Court Western District of Pennsylvania

In re: Case No. 20-10747-TPA

Robert Osiecki Chapter 13

Debtor

CERTIFICATE OF NOTICE

District/off: 0315-1 User: mgut Page 1 of 2
Date Rcvd: Jan 13, 2022 Form ID: pdf900 Total Noticed: 1

The following symbols are used throughout this certificate:

Symbol Definition

Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS

regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jan 15, 2022:

Recipi ID Recipient Name and Address

db + Robert Osiecki, 11201 Fry Road, Edinboro, PA 16412-1071

TOTAL: 1

 $Notice \ by \ electronic \ transmission \ was \ sent \ to \ the \ following \ persons/entities \ by \ the \ Bankruptcy \ Noticing \ Center.$

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jan 15, 2022 Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on January 13, 2022 at the address(es) listed below:

Name Email Address

Angela Sheffler Abreu

on behalf of Creditor Northwest Bank AAbreu@nwbcorp.com Angela.Abreu@northwest.com

Brian Nicholas

on behalf of Creditor PNC BANK NATIONAL ASSOCIATION bnicholas@kmllawgroup.com

Kurt L. Sundberg

on behalf of Creditor Northwest Bank jrizzo@marshspaeder.com tsapper@marshlaw.com;r48049@notify.bestcase.com

Lawrence W. Willis

on behalf of Debtor Robert Osiecki ecf@westernpabankruptcy.com_urfreshstrt@gmail.com;willislr88866@notify.bestcase.com

Maria Miksich

on behalf of Creditor PNC BANK NATIONAL ASSOCIATION mmiksich@kmllawgroup.com

Office of the United States Trustee

ustpregion03.pi.ecf@usdoj.gov

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Date Revd: Jan 13, 2022 Form ID: pdf900 Total Noticed: 1

Ronda J. Winnecour

cmecf@chapter13trusteewdpa.com

TOTAL: 7